

Borough of Roselle Park Special Meeting of June 28, 2012

| Attendee Name | Organization | Title | Status | Arrived |
|-----------------|-------------------------|--------------|--------|---------|
| Michael Yakubov | Borough of Roselle Park | Councilman | P | 7:00 PM |
| Modesto Miranda | Borough of Roselle Park | Councilman | P | 7:00 PM |
| Carl Hokanson | Borough of Roselle Park | Councilman | P | 7:00 PM |
| Tanya Torres | Borough of Roselle Park | Councilwoman | P | 7:00 PM |
| Marc Caswell | Borough of Roselle Park | Councilman | P | 7:00 PM |
| Andrew Casais | Borough of Roselle Park | Councilman | P | 7:00 PM |
| Joseph Accardi | Borough of Roselle Park | Mayor | P | 7:00 PM |

Mayor Accardi called the meeting to order at 7:02 p.m. and said it is being held in accordance with the Open Public Meetings Act and adequate notice of this meeting has been provided as required by law.

All contracts awarded by Mayor and Council must comply with the affirmative action requirements of P.L. 1975, C.172. (NJAC 17:27).

As required by the Fire Prevention Code, he indicated the fire exits and the procedure to be followed in case of fire.

COMMUNICATIONS

Councilman Miranda moved the following correspondence; seconded by Councilman Casais and adopted.

- Request from the Roselle Park Fire Department to use the Borough's mason truck for the burial of Jules Swirz, Thursday, June 28, 2012 in the evening, for loading purposes and Friday, June 29, 2012 to transport boxes to and from Graceland Cemetery.

PUBLIC COMMENT

Councilman Miranda moved at 7:05 p.m. to open the public comment portion of the meeting; seconded by Councilman Yakubov and adopted.

Jacob Magiera, 612 Sheridan Avenue

- The sinkhole on East Grant Avenue and Berwyn Street has been patched.
- Asked for a copy of the Mayor's speech from the June 21st Meeting.
- Welcomed the four new Police Officers.
- Will the two Police Officers that will be retiring be replaced.
- Gave the Borough Attorney a copy of the newspaper article regarding the Passaic River and Occidental lawsuit.

Mayor Accardi responded to Mr. Magiera's comments as follows:

- A copy of his comments are available in the Clerk's Office and will also be listed in full in the minutes.
- The replacement of retiring Officers will be taken on a case by case basis.
- The Occidental case is litigation that must be discussed in Closed Session.
- Information from Closed Session has been getting out and that puts the Borough in an unfavorable position for litigation matters.
- We reserve the right to have Attorney/Client privileges.

Mr. Huxford said what is discussed in Closed Session is not appropriate to be discussed in an open forum. When the case is resolved, then it can be told to the public.

There being no one else wishing to speak, Councilman Miranda moved at 7:11 p.m. to close the public portion; seconded by Councilman Casais and adopted.

REPORT OF STANDING COMMITTEES AND OTHER MAYOR AND COUNCIL COMMITTEES

Councilwoman Torres

- Expressed her condolences to the Swirz Family
- Congratulated all the Police Officers being appointed this evening.
- Spoke about the Occidental issue.

Councilman Miranda

- Congratulated all the Officers being appointed this evening.
- He also congratulated those being promoted.

Councilman Yakubov

- Expressed his condolences to the Swirz Family.
- Congratulated the Officers being appointed this evening.
- Would like to have a close out Capital Budget Meeting on Thursday, July 12th at 6:00 p.m.

Councilman Hokanson

- Expressed his condolences to the Swirz Family.
- He was a great asset to Roselle Park, as well as the other firemen who have passed away.
- Congratulated all the new Police Officers that are being appointed.

Councilman Casais

- He has been out of State for the past week.
- Thanked Councilman Hokanson for addressing the sinkhole on Grant Avenue.
- Congratulated the Police Officers that are being appointed.

Councilman Caswell

- Expressed his condolences to the Swirz Family.
- Congratulated the four Police Officers being appointed.
- Has one matter for Closed Session to discuss DPW contracts.

Mayor Accardi welcomed Lyman Thompson to the meeting. Friday evening there will be the Movie in the Park at the back of the Casano Community Center.

Councilwoman Torres said the Pop Warner stand will be open on the Fourth of July by the Roselle Park High School parents. Friday evening at the Union Elks, there will be a Baseball League Fundraiser for adults.

Mayor Accardi said there is another matter for Closed Session regarding a potential litigation on a foreclosed property.

INTRODUCTION

ORDINANCE NO. 2368

AN ORDINANCE AMENDING CHAPTER 2, SECTION 2-24.3 OF THE CODE OF THE BOROUGH OF ROSELLE PARK POLICE DEPARTMENT ESTABLISHED

BE IT ORDAINED by the Mayor and Council of the Borough of Roselle Park, County of Union, State of New Jersey that Chapter II, Section 2-24.3 of the Borough Code is hereby amended as follows:

SECTION 1. 2-24.3 Police Department Established.

The Police Department of the Borough of Roselle Park is hereby established and shall consist of a Police Chief, one (1) Captain, one (1) Lieutenant, six (6) Sergeants, one (1) Detective Sergeant, three (3) Detective Patrolmen, one (1) Traffic Safety Officer and one (1) Detective Juvenile Officer and such members deemed necessary by the Governing Body. The Governing Body shall determine the number of persons, including temporary officers and members in an emergency, to be appointed and their compensation. (1980 Code § 51-3)

SECTION 2. If any section or portion of a section of this Code shall be invalid for any reason, such invalidity shall not affect the validity of the remaining sections or portions of this ordinance.

SECTION 3. All ordinances or parts of ordinances, to the extent that they are inconsistent herewith, are hereby repealed.

SECTION 4. This amendment to the Code of the Borough of Roselle Park shall become effective upon publication and in accordance with law.

Councilman Miranda moved that Ordinance #2368 be adopted upon first reading and advertised as prescribed by law for second reading and public hearing on July 19, 2012; seconded by Councilwoman Torres.

| Vote Record – Ordinance #2368 | | | | | |
|-------------------------------------|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | Yes/Aye | No/Nay | Abstain | Absent |
| <input checked="" type="checkbox"/> | Adopted | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | Adopted as Amended | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | Defeated | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | Tabled | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | Withdrawn | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Yakubov | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Miranda | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Hokanson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Torres | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Caswell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Casais | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Accardi | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

RESOLUTIONS

The following resolution was offered by Councilman Miranda; seconded by Councilman Casais.

RESOLUTION NO. 131-12

BE IT RESOLVED that Jeffrey Rapach, 6 Creamer Drive, Sayreville, New Jersey 08872 is hereby appointed to the position of Probationary Police Officer (7-12 months) in the Roselle Park Police Department, at an annual salary of \$49,082.31 effective July 2, 2012 for a 12 month period ending July 1, 2013.

| Vote Record – Resolution #131-12 | | | | | |
|-------------------------------------|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | Yes/Aye | No/Nay | Abstain | Absent |
| <input checked="" type="checkbox"/> | Adopted | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | Adopted as Amended | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| <input type="checkbox"/> | Withdrawn | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Yakubov | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Miranda | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Hokanson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Torres | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Caswell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Casais | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Accardi | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Officer Jeffrey Rapach was administered the Oath of Office by Mayor Accardi, as his family looked on.

The following resolution was offered by Councilman Miranda; seconded by Councilman Caswell.

RESOLUTION NO. 132-12

BE IT RESOLVED that Brian Swick, 122 Hawthorne Street, Roselle Park, New Jersey 07204 is hereby appointed to the position of Probationary Police Officer (7-12 months) in the Roselle Park Police Department, at an annual salary of \$49,082.31 effective July 2, 2012 for a 12 month period ending July 1, 2013.

| Vote Record – Resolution #132-12 | | | | | |
|-------------------------------------|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | Yes/Aye | No/Nay | Abstain | Absent |
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| <input type="checkbox"/> | Adopted as Amended | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| <input type="checkbox"/> | Withdrawn | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Yakubov | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Miranda | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Hokanson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Torres | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Caswell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Casais | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Accardi | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Officer Brian Swick was administered the Oath of Office by Mayor Accardi, as his family looked on.

The following resolution was offered by Councilman Miranda; seconded by Councilman Yakubov.

RESOLUTION NO. 133-12

BE IT RESOLVED that John P. Fitzgerald, 61 Belmont Avenue, Old Bridge, New Jersey 08857 is hereby appointed to the position of Probationary Police Officer (7-12 months) in the Roselle Park Police Department, at an annual salary of \$49,082.31 effective July 2, 2012 for a 12 month period ending July 1, 2013.

| Vote Record – Resolution #133-12 | | | | | |
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| | | Yes/Aye | No/Nay | Abstain | Absent |
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| <input type="checkbox"/> | Adopted as Amended | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| | Yakubov | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Miranda | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Hokanson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Torres | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Caswell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Casais | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Accardi | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Officer John P. Fitzgerald was administered the Oath of Office by Mayor Accardi, as his family looked on.

The following resolution was offered by Councilman Miranda; seconded by Councilman Yakubov.

RESOLUTION NO. 134-12

BE IT RESOLVED that Matthew Hopkins, 292 Clermont Terrace, Union, New Jersey 07083 is hereby appointed to the position of Probationary Police Officer (7-12 months) in the Roselle Park Police Department, at an annual salary of \$49,082.31 effective July 16, 2012 for a 12 month period ending July 15, 2013.

| Vote Record – Resolution #134-12 | | | | | | |
|-------------------------------------|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--|
| | | Yes/Aye | No/Nay | Abstain | Absent | |
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| <input type="checkbox"/> | Adopted as Amended | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
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| | Yakubov | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Miranda | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Hokanson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Torres | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Caswell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Casais | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Accardi | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

Officer Matthew Hopkins was administered the Oath of Office by Mayor Accardi, as his family looked on.

Mayor Accardi welcomed all the new Police Officers and thanked the entire Police Department for the work they do day in and day out to make Roselle Park the beautiful community that it is.

Police Chief Morrison thanked the Mayor and Council for understanding the need for the appointment of these four Officers. He congratulated all four Officers to the Roselle Park Police Department and wished them a happy and healthy career. They will be working with a lot of experienced Officers.

The following resolution was offered by Councilman Miranda; seconded by Councilwoman Torres.

RESOLUTION NO. 135-12

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Borough of Roselle Park wishes to apply for a project under the Safe and Secure Communities Program; and

WHEREAS, the Mayor and Council of the Borough of Roselle Park has reviewed the application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Borough of Roselle Park, for the purpose described in the application; now therefore

BE IT RESOLVED by the Mayor and Council of the Borough of Roselle Park that:

1. As a matter of public policy the Borough of Roselle Park wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the Borough of Roselle Park.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds. State Share in the amount of \$60,000.00 with a local match in the amount of \$211,518.00.
4. The Division of Criminal Justice shall initiate allocations to the Borough of Roselle Park as authorized by law.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute any/all necessary documents for the purpose of the application.

| Vote Record – Resolution #135-12 | | | | | |
|-------------------------------------|--------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | Yes/Aye | No/Nay | Abstain | Absent |
| <input checked="" type="checkbox"/> | Adopted | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | Adopted as Amended | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| | Yakubov | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Miranda | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Hokanson | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Torres | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Caswell | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Casais | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | Accardi | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

INTERRUPT THE REGULAR ORDER OF BUSINESS

Councilman Miranda moved to interrupt the regular order of business for a Closed Session Meeting; seconded by Councilman Yakubov and adopted.

Mayor Accardi read the Closed Session resolution and said Council would be discussing the following matters:

- Contract – DPW
- Potential Litigation – Foreclosure Property

RESUME REGULAR ORDER OF BUSINESS

Councilman Miranda moved to resume the regular order of business; seconded by Councilman Caswell and adopted.

Mayor Accardi said that during Closed Session, Council discussed the following matters:

- Contract – DPW
- Potential Litigation – Foreclosure Property

There being no further business to come before the meeting, Councilman Yakubov moved to adjourn; seconded by Councilman Miranda and adopted.

Attest:

Borough Clerk